

CITY OF ELY

501 Mill Street Ely, Nevada 89301

City Hall (775) 289-2430

Cityofelynv.gov

ELY MUNICIPAL UTILITIES BOARD REGULAR MEETING

June 10, 2021 8:00 a.m. – Ely Volunteer Fire Hall – 499 Mill Street – Ely, Nevada

1. Chairman John O’Flaherty called the regular meeting of the Municipal Utilities Board to order at **8:00 a.m.**, led in the Pledge of Allegiance and asked for Roll Call.

Members present:

Chairman John O’Flaherty

Member Dale Derbidge

Member Ken Ross

Member Jeremy Lilly

City Officials and staff present:

Councilman Kurt Carson

City Clerk Jennifer Lee

City Treasurer-HR Director Janette Trask

City Administrative Assistant Patti Cobb

Public Works Supervisor Mike Cracraft

City Engineer BJ Almberg

City Attorney Shain Manuele (Zoom)

Also, in attendance: Members of the public in attendance at the Ely Volunteer Fire Hall signed in (appears below) and the following persons attended via video conference: Deleen Chesley

MUNICIPAL UTILITIES BOARD ATTENDANCE LIST

DATE: June 10, 2021

Print name below

George Chachas

Print name below

2. PUBLIC COMMENT

Geoge Chachas stated I have a concern with my property located on Great Basin Boulevard; two sewer connections were put on one property when there are two separate properties. In order to access the sewer, I have to come down 35 feet across the other property and if sold by my brother, I have to ask the new owner to cut 35 feet of their driveway and that is wrong. I have a letter from my brother John Chachas regarding stagnant water and animals in different areas and I would like the letter to be read into the record; (appears below) Mr. Chachas stated ongoing concerns regarding selective enforcement, the billing for his property at 490 High Street, waiving water fees for the Northern Nevada Railway, and squatters' RVs.

May 24, 2021

Honorable Nathan Robertson, Mayor of Ely
And Jennifer Lee, Ely City Clerk
501 Mill Street
Ely, Nevada 89301

Mayor Robertson and Jennifer Lee, City Clerk,

I am coming to you in your official capacities to address a health issue that has been created along the Crawford Street neighborhood in Central Ely. A mosquito invasion has made outdoor living conditions uncomfortable, unhealthy and possibly dangerous. A large body of stagnant water and horses on that same property appear to provide a breeding ground for the infestation.


This should be addressed immediately, before we have to deal with a West Nile or Zika virus outbreak. We have family members living in that area and several tenants, along with their children. Families and friends cannot enjoy being outside because of this mosquito health threat.

This situation should never have been allowed to evolve to the point where we find our health and welfare threatened. You can refer to City Ordinances Chapter 3, Animal Control, Article A. Livestock and fowl; section 5-3a-1, (a.) Keeping of regulated..." relating to unhealthful and unattended animal hazards as well as the keeping of farm animals within Ely City limits.

I am hopeful that we can address this issue here, but will file a hazard notice with the appropriate state health agencies if these dangers to health and life are not eliminated.

Thank you for your attention to this matter. Please read this letter into the public record when this is brought to the Council.

With Regards,



John A. Chachas

Owner/Landlord/ Property Manager
656, 670, 692 Ogden Avenue
672, 682, 692, 651, 681 Parker Avenue
665, 685, 691 Stevens Avenue

3. ITEMS FOR DISCUSSION/POSSIBLE ACTION OF THE UTILITY BOARD.

A. CONSENT AGENDA

MOTION: Move to approve the Consent Agenda item 3A-1 Minutes.

Moved by: Member Derbidge Second by: Member Ross Vote: Unanimous

1. Discussion/For Possible Action –Minutes.
 - May 13, 2021

B. OLD BUSINESS

1. Board Members – *Robinson Nevada Mining Company* (RNMC) representative – Discussion only – Update to the Utility Board on the *Robinson Nevada* Development, Ruth Pit Development and water mitigation efforts within the City of Ely.

City Clerk Lee read the following into the record:

Jennifer Lee

From: Frederick Partey <Frederick.Partey@us.kghm.com>
Sent: Wednesday, June 9, 2021 4:44 PM
To: Jennifer Lee
Cc: Amanda Hilton
Subject: Utility Board Meeting- 6/10/2021

Hello Jennifer,

I will not be able to attend tomorrow morning Utility Board meeting, I am by this email providing you an update on "Old Business" Item B 1. *Ruth Pit development and water mitigation efforts within the City of Ely.*

Robinson continue to mine from the Ruth pit complex, here is the breakdown of fresh water dewatering effort from the South block.

1. About 11,969 gpm is being pumped, RW-7P account for 1,515 gpm, which is sent to the City of Ely
2. About 5,472 gpm is going into Gleason Creek
3. The rest is going to the mill for ore processing.

Let me know if you have any questions.

Thanks,

Frederick

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PMP)**
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West White Pine County Rd 44
Ruth, NV 89319 USA
www.kghm.com

C. NEW BUSINESS

1. Councilman Carson – Discussion/For Possible Action – Recommendation of approval to waive commercial fees to deposit metal at City Landfill June 12, 2021 thru June 20, 2021 to encourage commercial property owners to clean up their property.

Councilman Carson stated we did this last year for a week or two and I know of a couple property owners that took advantage of it and would like to do it again this year.

Member Derbidge asked why do we charge people to take metal out there when we turn around and sell it? It seems counterproductive to charge people.

Councilman Carson stated yes it does, and it is something to look into to see why we are charging and what the justification behind it is.

Chairman O’Flaherty stated it would be beneficial to the City right now to have more metal as prices are up.

Councilman Carson stated I will do some research and hopefully have more information at next month’s meeting.

Member Ross moved to recommend the approval to waive commercial fees to deposit metal at the City Landfill June 12, 2021 thru June 20, 2021. Member Lilly seconded the motion. The motion carried unanimously.

George Chachas stated I think this is a good thing, but I think you should include everyone including private individuals. If you want everyone to clean up their yard, they need to be treated fairly. When I was mayor, the fees were set so there was no excuse for not taking anything to the dump; this included metal, old refrigerators, couches, or whatever. Now you are nickel and diming the public.

City Clerk Lee stated private individuals are not charged at the gate to dispose of metal.

2. Board Members – City Clerk Lee – Discussion/For Possible Action – Recommendation of approval to remove past due utility fee penalties up to the amount of \$7,929.66, due to the Landfill Fee balance and Lien Fee being paid in full, from 25 E. 7th N., Lund, Nevada at the request of the property owner, Deeanna Erekson.

City Clerk Lee stated this agenda wording is straight forward.

Member Derbidge moved to recommend the approval to remove past due utility fee penalties up to the amount of \$7,929.66 from 25 E. 7th N., Lund, Nevada. Member Ross seconded the motion. The motion carried unanimously.

George Chachas stated I don’t have a problem with the consideration you are giving these folks, but you are not giving me the same opportunity at 490 High Street. I have paid in full and you owe me credit and are still being misbilled.

3. Board Members – City Clerk Lee – Discussion/For Possible Action – Recommendation of approval to remove Landfill fees and penalties in the amount of \$1,920.64, from 89 West, 1st South, Lund, Nevada due to the White Pine County Assessor’s designation of this service address as a non-livable structure since October 2017 AND/OR approval to remove past due utility fee penalties up to the amount of \$418.43 due to the Lien Fee and Landfill Fee balance accrued prior to October 2017 being paid in full.

Chairman O’Flaherty stated this is quite a paper trail.

City Clerk Lee stated it is. We have had requests from the Council that non-livable structure credit must be reviewed, so we would like this Board and the Council to review those. As the agenda item states, they did pay the landfill fee, penalties, and the lien fee prior to October 2017.

Member Derbidge moved to recommend approval to remove landfill fees and penalties in the amount of \$1,920.64, from 89 West, 1st South, Lund, Nevada and to remove past due utility fee penalties up to the amount of \$418.43. Member Ross seconded the motion. The motion carried unanimously.

George Chachas stated I am not against this but again you are selectively enforcing the law. For years I have paid landfill fees on empty lots and then out came the ruling if there is no structure, you don’t pay. I have yet to receive any refund or interest on my money. Just recently Bob Pratt came before you, had a garage on the property, and asked for a waiver at the last City Council Meeting. Jim Alworth said no you could probably live in there; the man never got the same consideration and that is discrimination. This is a house. The fact that it needs repair is immaterial. They should have paid the fees in full. If you give them a waiver for paying under these regulations, fine, but Mr. Pratt had just a garage there and I want people treated fairly.

4. CITY DEPARTMENT REPORTS

➤ CITY PUBLIC WORKS SUPERVISOR

City Public Works Supervisor Cracraft stated I want to recognize our assistant at the Wastewater Treatment Plant, Mario Gonzales. He was named Operator of the Year through the Nevada Water Association and is an asset to the City of Ely.

Chairman O’Flaherty stated it looks like you are moving right along with restoring the restrooms at Broadbent Park?

City Public Works Supervisor Cracraft stated yes, we are moving right along.

➤ CITY CLERK

City Clerk Lee stated I want to note the City did receive the letter that Mr. Chachas referred to in his opening comment. The mosquito abatement is not under the purview of this Board, but I have been working on this request with Mayor Robertson. I attended the CDBG application workshop and it was brought to our attention again, that Ely is 39% low to moderate income (LMI) currently. For us to apply for a CDBG Grant we would have to have a survey done in the area the grant would be taking place. If you have preferences of projects, and let me know, we can ask Nevada Rural Water to do a survey for it. I don’t know how much lead time they would need ideally, but we would request that after the Council selected a project.

Chairman O’Flaherty asked is this pertaining to just sewer and water?

City Clerk Lee stated any CDBG Project. We should be able to apply for the Green Up Grant next week again; it is my understanding that it opens up then.

➤ **CITY ENGINEER**

City Engineer Almberg stated we are working with the PORTER Group on funding for infrastructure and just got our paperwork into them to go to the Senate and will have a follow-up meeting in a couple of weeks to hopefully be included in a future bill. The Aultman Street project is almost complete. The thing we are doing now is they are building the storm drain system and it is crossing our water and sewer as it is built up through Central Ely. We are down there working with NDOT right now because they have to make a temporary jump on our water because they can't get their trench plate through with the water going through their box culvert. There will be some coordination, but that project, as far as our involvement, is winding down. The Murry Street Sewer Project is getting close to being wrapped up. We have about fifty feet to go and a couple of services to connect, so hopefully another two or three days to completion. The Chairman and I did go out and meet with the hydrologist that RNMC had sent down to look at the Golf Course well to see if they can assist the County with the well there; I just received that report back late yesterday afternoon and have not had a chance to look at it yet, but will forward it on to everybody. They are requesting we get together and analyze this report and see what the next steps are for them to assist the Golf Course. They are scheduling something for Friday and the Chairman and I will attend and see where we can go with that well from here.

Chairman O'Flaherty stated George Chachas had some concerns with services going to his property regarding the NDOT Project near Washington Federal Bank. Just a point of clarification, isn't that the sewer off of Bell Avenue?

City Engineer Almberg stated no, I am not sure why he is asking this question because we had this conversation with him when I was on site that day when they were providing sewer service to those lots.

Chairman O'Flaherty stated is there sewer on Great Basin Boulevard right there?

City Engineer Almberg stated yes, there is sewer there. The storm drain system is going across the sewer and we had to coordinate with them because they were having conflicts and so we coordinated the conflict, stubbing it over there. The concern has been addressed.

5. PUBLIC COMMENT

George Chachas stated ongoing concerns regarding squatters' RVs; permitting of RV's; whether a city utility was put on private property on Avenue A; that the Golf Course should pay the same rate as other businesses; not being reimbursed for taking care of the sewer problem at 681 Parker; and whether the City notified Mt. Wheeler that they have to move some of their power poles on Murry Street in the blocks where new city sewer and water lines are going in.

6. ADJOURNMENT: THE MEETING MAY BE ADJOURNED BY APPROPRIATE MOTION OF THE MUNICIPAL UTILITY BOARD

Chairman O’Flaherty adjourned the regular meeting of the Municipal Utilities Board at **8:25 a.m.**

Chairman

Attest

DRAFT